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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

2005 APR 29 P 1:45

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AZ CORP COMMISSION
DOCUMENT CONTROL

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IN THE MATTER OF THE APPLICATION OF
VIRGIN MOUNTAIN UTILITIES COMPANY TO
EXTEND ITS EXISTING CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
WATER SERVICE IN MOHAVE COUNTY,
ARIZONA AND APPROVAL OF A HOOK-UP
FEE TARIFF.

DOCKET NO. W-03551A-04-0325

PROCEDURAL ORDER

BY THE COMMISSION:

On April 29, 2004, Virgin Mountain Utilities Company ("Company" or "Applicant"), filed an application requesting approval for an extension of its Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public water utility service to various parts of Mohave County, Arizona and approval for a Hook-Up Fee Tariff ("Tariff").

On May 21, 2004, the Commission's Utilities Division ("Staff") issued a notice of deficiency that the application had not met the sufficiency requirements of A.A.C. R14-2-411(C).

On January 18, 2005, Staff issued notice that the application had met the sufficiency requirements of A.A.C. R14-2-411(C).

On January 21, 2005, in accordance with A.R.S. § 41-1074(A), the application herein was deemed administratively complete, and pursuant to A.A.C. R14-3-101, the Commission issued a Procedural Order which scheduled a hearing on April 26, 2005.

On March 28, 2005, Beaver Dam Water Company ("BDWC") filed a request to intervene.

On April 18, 2005, BDWC was granted intervention.

On April 26, 2005, a full public hearing was held before a duly authorized Administrative Law Judge of the Commission at its offices in Phoenix, Arizona. Applicant and Staff were present with counsel. BDWC did not enter an appearance. Since Staff recommended a denial of the application herein, it was determined that Staff should file a late-filed exhibit listing alternative

1 recommendations in the event that the Commission did not adopt Staff's recommendation and chose
2 to approve the application.

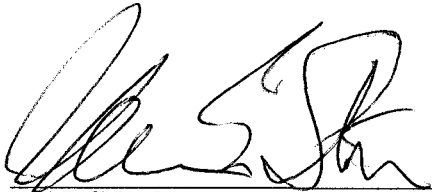
3 Accordingly, the time frame should be suspended pursuant to A.A.C. R14-2-411 for a period
4 of 30 days from the date of the hearing to allow Staff to file its alternative recommendations after
5 which the matter will be taken under advisement pending submission of a Recommended Opinion
6 and Order to the Commission.

7 IT IS THEREFORE ORDERED that the Utilities Division shall file, within 30 days of the
8 hearing, its alternative recommendations for possible adoption by the Commission if the application
9 is approved.

10 IT IS FURTHER ORDERED that pursuant to A.A.C. R14-2-411, the time frame shall be
11 suspended for a period of 30 days after the hearing for the Utilities Division to file its alternative
12 recommendation.

13 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,
14 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
15 ruling at hearing.

16 DATED this 27 day of April, 2005.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

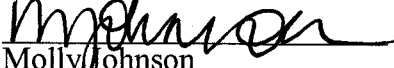
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20 Copies of the foregoing mailed/delivered
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27 By: 
28 Molly Johnson
Secretary to Marc Stern